

**STATE OF MARYLAND
DEPARTMENT OF AGRICULTURE
BEFORE THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS**

IN THE MATTER OF:

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TREVOR ASHLEY, DVM
LICENSE NO. 5273

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DOCKET NO. 23-63

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LAKE SHORE PET HOSPITAL
HOSPITAL LICENSE NO. 02-00576

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order ("Order"), dated this 25th day of January, 2023, is issued by the Maryland State Board of Veterinary Medical Examiners ("Board" or "SBVME") against Trevor Ashley, DVM ("Dr. Ashley"), License No. 5273. This Order confirms the intention of Dr. Ashley to resolve Docket No. 23-63 without issuance of formal charges. By emailed correspondence with Board counsel on January 24, 2023,, Dr. Ashley agreed to the terms and conditions set forth in this Civil Penalty Final Order, including the findings that he violated the Maryland Veterinary Practice Act, Md. Code Ann., Agric. §§ 2-301 - 2-316, Annotated Code of Maryland, ("Veterinary Practice Act") and related Code of Maryland Regulations ("COMAR") 15.14.01 – 15.14.17 as set forth herein. Before agreeing to this Order, Dr. Ashley received written notice of all due process rights in Board disciplinary matters, including the right to retain legal counsel, receive formal notice of charges, request a hearing, and all other rights under Section 2-311 of the Veterinary Practice Act.

Under State law, the Board is the licensing authority responsible for regulating the practice of veterinary medicine in this State, which includes filing disciplinary actions against veterinarians charged with violating provisions of the Veterinary Practice Act and related COMAR regulations. As part of its authority, the Board "may refuse, suspend, or revoke any application or license, and censure or place on probation any licensee . . . if the veterinarian or veterinary practitioner . . . [f]ails to comply with Board rules and regulations after receiving a license[.]" Md. Code Ann., Agric. § 2-310(8). In addition, the Board may impose a civil penalty of not more than \$5,000 for a first offense, or \$10,000 for a second or subsequent offense in lieu of or in addition to

suspending or revoking a veterinarian's license, respectively. Agric. § 2-310.1. In setting the amount of a civil penalty, the Board shall consider the severity of the violation, the good faith of the violator, and the history of prior violations as well as the Board's regulatory civil penalty standards. Md. Code Ann., State Gov't Art., § 10-1001(b); COMAR 15.14.11 (Civil Penalty Standards for Veterinarians).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Trevor Ashley, DVM, License No. 5273, after having the opportunity to seek advice of legal counsel and having been informed of his due process rights, including the right to a hearing in this matter, has agreed to resolve this case voluntarily without the issuance of formal charges and agreed to pay the civil penalty proposed. In so doing, Dr. Ashley acknowledged that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that he violated Md. Code Ann., Agric. § 2-310(8), and COMAR 15.14.01.12-3C, as follows:

1. At all times relevant to this charge, Trevor Ashley, DVM ("Dr. Ashley") was a veterinarian licensed to practice in Maryland since 2001. Dr. Ashley is the responsible veterinarian at a veterinary hospital known as Lake Shore Pet Hospital ("Hospital") located at 4193 Mountain Road, Pasadena, MD 21122 (License No. 02-00576). Dr. Ashley has one prior action against his license involving expired medications. In Docket No. 21-81, the Board entered a Civil Penalty Final Order finding that expired medications were found at the veterinary hospital at which Dr. Ashley was the responsible veterinarian and assessing a civil penalty of \$300, which Dr. Ashley paid.

2. On December 6, 2022, during an annual inspection of the Hospital, Board Inspector, Pegeen Morgan ("Inspector Morgan"), found 78 expired medications in the Hospital's working stock of medications. The oldest of the expired medications included 24 bottles of clindamycin that expired in August of 2022.

3. Inspector Morgan prepared a Veterinary Hospital Inspection Report reflecting her findings. She also issued a COMAR Violation Sheet.

4. COMAR 15.14.01.12-3A prohibits veterinarians from administering expired medications to an animal and COMAR 15.14.01.12-3C requires that expired medications be packaged and kept separate and apart from unexpired medications until disposal of such medications. Although there is no evidence that expired

medications were used on any patient, Dr. Ashley violated this regulation by having expired medications in his Hospital's working stock during a Board inspection.

Taking all the facts and circumstances into consideration, including the nature of the violation, the veterinarian's prior disciplinary history with the Board, and the veterinarian's good faith effort to resolve this matter promptly, the Board concluded that the most reasonable and appropriate resolution in this matter was a civil penalty only.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 25th day of January, 2023, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED:**

- (a) That for the violation of Md. Code Ann., Agric. § 2-310(8) and COMAR 15.14.01.12-3C, Trevor Ashley, DVM, the responsible veterinarian at Lake Shore Pet Hospital ("Hospital"), (License No. 02-00576) , is assessed a civil penalty of \$600;
- (b) The civil penalty shall be paid within thirty (30) days from the date of this Order by check payable to the Maryland Department of Agriculture ("MDA") with the notation ("SBVME 23-39") and mailed to:

Maryland Department of Agriculture
Attention: Nathaniel Boan
50 Harry S. Truman Parkway, Suite 102
Annapolis, MD 21401; and
- (c) This Civil Penalty Final Order is a public document.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS



Elizabeth Callahan, DVM
President